

# Notice of Allowability

Application No.

10/693,461

Examiner

Raymond Covington

Applicant(s)

MINAMI ET AL.

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1625

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/7/05.
2. ☒ The allowed claim(s) is/are 1-9 and 11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 6.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

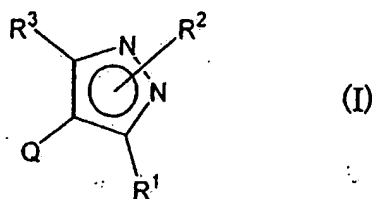
### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Matthew Jacob on 1/20/06 and 2/2/06.

The application has been amended as follows:

1. (Currently Amended) A substituted pyrazole compound represented by the following formula, or a salt thereof,



wherein:

$R^1$  represents  $-\text{CO}-B^1-\text{A}-Y$

in which  $B^1$  is  $-\text{N}(R^4)-$  (in which  $R^4$  is a hydrogen atom or a lower alkyl group), A is a lower alkylene group, Y is an aryl group which may

optionally be substituted by halogen, lower alkyl, lower alkoxy, amino or nitro; a cycloalkyl group or a heteroaryl group;

$R^2$  represents a hydrogen atom, a lower alkyl group which may optionally be substituted by hydroxyl, amino or mono- or di- (lower alkyl)amino; or an aralkyl group and is attached to one of the ring nitrogens;

$R^3$  represents a phenyl group which may optionally be substituted by halogen, trifluoromethyl or lower alkylendioxy; or a pyridyl group; and

Q represents a pyridyl group.

Claim 10 has been canceled.

11. (Currently Amended) A pharmaceutical composition as claimed in claim 8 for the treatment of cyclooxygenase II related diseases rheumatoid arthritis and IBD.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Claim 1 has been amended by substituting semi colons for commas as set forth in the amended claim to better delineate what is included within the substituent groups as set forth in applicants' specification.

In light applicants' amendment of 10/7/05 the rejection under 35 USC 112 has been withdrawn. The intended uses of claims 11 as presently set

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forth in the recited claims are sufficiently enabled the art shows rheumatoid arthritis and IBD to be cyclooxygenase II related diseases.

Accordingly, the objection also being overcome, claims 1-8 and 10 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond Covington whose telephone number is (571) 272-0681. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, C. Tsang can be reached on (571) 272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RKC

Raymond Covington  
Examiner  
Art Unit 1625



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